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SPIRIT OF KOSCIUSKO.

WILLIAM E. SMITH,

("WHERE LIBERTY DWELLS THERE IS MY COUNTRY.")

EDITOR & PROPRIETOR.

VOL. I.]

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the number of insertions will be inserted
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Announcing candidates for office,
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[From the Globe.]

MR. VAN BUREN AND THE SOUTHERN
FEDERAL WHIGS—UNIVERSAL SUFFRAGE
AND NEGRO SUFFRAGE.

Mr. Van Buren's course in the
Federal Whig party in the
Southwestern States con-
stitutes the course of the
party upon questions involving the
suffrage, is revolting to every
liberal mind. In some of those
States where the right of suffrage is
enjoyed by white men, it is
that he is hostile to universal
suffrage; in all of them, his course in
the Convention of 1821, rela-
tive to negro suffrage, is pointed at as
evidence of his hostility to
the institutions. Men who in
the past have consulted and fraternized with J.
Van Buren, the leader of the slave-agiti-
ng party, and with Slade, who
is that the abolition of slavery
is putting down of the present
system are duties equally holy,
to their homes, and keeping out
of or apologizing for the conduct
of abolition allies, have the hardi-
ness to charge Mr. Van Buren with the
same opinions which in others they
condemn and excuse. When
Van Buren was at its height, they
condemned Mr. Clay in holding him
up from any act or declaration
should endanger the political sup-
port of the mad fanatics, and even per-
sonal collateral points to give them
encouragement; they can afflic-
tious scruple with that party in
which calls in the aid of Abol-
ition to secure an ascendancy in the
Governments, elevates its leaders
of trust, gives countenance to
principles, hope to its exertions, and
to its power. But if there be
the slightest pretence upon which the
policy of the North, and especially
leading champion, Mr. Van Buren,
misrepresented, they do not hesi-
tate to seize upon it to mislead the
people of the South, and alienate them
from the real defenders of their rights
in sections of the Union. Gene-
rally, the press is perverted and mis-
led, votes and acts, innocent in
themselves, are separated from the cir-
cumstances with which they were con-
nected, every art, misrepresentation and
deceit are resorted to by men who
better, to deprive Mr. Van Buren
of confidence and respect of the
free people. To the develop-
ment of the last four years, which
with the clearness of sunshine,
men and what party in the North,
filling to do the most, and risk the
in support of the rights of the
people, they willfully shut their eyes, and
try to blind the eyes of their fellow
citizens. In vain has Mr. Van Buren
been subject, as well as all others,
to himself a true disciple of that old
school of Northern Republicans, which
from the foundation of the Govern-
ment in opposition to the assumptions,
in contempt of the taunts, of the
Federal party, defended and maintained
the rights of the Southern States to es-
tablish and regulate their own domestic
institutions, without the interference of
Congress, or of the Government or peo-
ple of other States.

It was, it, that, when the more
fanaticism would have lighted the
of servile war in the South, by the
incitation of incendiary publications
through the instrumentality of the mails
the post offices—thus perverting the
benefit institution of the General
Post Office for the common benefit,
the most dangerous weapon of attack
on the institutions and rights of the
Southern States—when there was haz-
ard in doing right, and many firm men
before the fell spirit of Abolition-
ism, Mr. Van Buren did not hesi-
tate to give his cast-
ing vote for a bill to prevent their cir-
culation. In vain did he go into the
debates for the Presidency with the de-
claration, formally and seasonably pro-
tected, that, if elected, he "must go
into the Presidential chair the inflexible
and uncompromising opponent of any
attempt on the part of Congress to abol-
ish slavery in the District of Columbia.
The wishes of the slave-holding
States, and also with the determination
to resist the slightest
interference with the subject in the
States where it exists." It is in vain,
after the election was over and his
assurances could no longer be con-
sidered into electioneering expedients,
he called himself of his inauguration,
the first opportunity in which he could
speak to his countrymen, to
the assurances given by him be-
fore the election, and further to declare
that "no bill conflicting with these
assurances, can ever receive my constitu-
tional sanction." It is in vain, that
he has been at the head of the
Administration, he has said or done no-
thing whatever, inconsistent with

these declarations, and has caused the
Government in every Department to
be administered in a just spirit towards
the rights of the South. All these acts
and declarations, putting in jeopardy to
some extent the great popularity which
Mr. Van Buren enjoyed in the North
for the sake of being just to the South,
are lost upon the Southern Whigs.—
They willfully shut their eyes to these
recent and overwhelming evidences of
his regard for the rights and interests
of the South, and with a perseverance
which would be commendable if it were
exercised in the cause of truth and jus-
tice, hunt up and array before the pub-
lic, with flagrant distortions, every act
of his previous life which they think can
have the least influence in misleading
the public mind, and inducing the Sou-
thern people to believe that he enter-
tains feelings and opinions which he
has, as a citizen and as President, sol-
emnly and repeatedly disavowed and
repudiated.

Among the matters thus distorted is
the course of Mr. Van Buren in the
New York Convention of 1821, in re-
ference to the right of suffrage, and es-
pecially negro suffrage. In this region
that passage of his life has been so fully
discussed and explained, that the oppo-
sition find it no longer available in their
war upon the Administration; but, in
distant States, where the explanations
have not been so generally disseminat-
ed, particularly in Kentucky and Ten-
nessee, where important elections are
impending, it is the theme of incessant
misrepresentation. A brief recapitula-
tion of facts, which have been already
laid before the country, will show that
the Federal Whig clamor in those quar-
ters against Mr. Van Buren, in connec-
tion with the right of suffrage, has no
just foundation.

By the old Constitution of New York,
no citizen could vote for members of
Assembly who had not resided in the
county six months preceding the elec-
tion, and, during that time, possessed a
freehold of the value of fifty dollars
within the county, or rented tenements
of the yearly value of five dollars, and
been rated and actually paid taxes to
the State. To be entitled to vote for
Senators and Governor, the citizen must
have possessed a freehold of the value
of \$250, over and above all debts char-
ged thereon. Free blacks enjoyed, by
that constitution, the right of suffrage
to the same extent as the whites.

By these restrictions, a vast number
of useful and intelligent citizens were
excluded from voting for Representa-
tives in the Assembly, and more than a
third of the males over 21 years of age
were cut off from voting for Senators
and Governor altogether. The disfran-
chisement of so large a portion of the
intelligent population was one of the
principal inducements which led the
Republican party of the State to advo-
cate a convention, to amend the consti-
tution, as the only means by which this
injustice could be obviated. Mr. Van
Buren was one of the leading advocates
of an extended suffrage.

So far from being hostile to the great
changes which the constitution of New
York has undergone, in this respect, he
may with much greater propriety be re-
garded as the one by whom the ball of
revolution was first set in motion.—
Having been appointed to preside at a
celebration of the 4th of July, in the
year 1820, he gave from the chair the
following toast:—

"The Elective Franchise—Existing
restrictions have proved to be as impo-
litic as they are unjust. It is the office
of wisdom to correct what experience
condemns."

This sentiment was not only just in
itself, but well timed and extensively
useful. It contributed to call into vig-
orous action the spirit of dissatisfaction
which had long existed on the part of
the Democracy of the State. A refer-
ence to the newspapers of the period
will show that the avowal thus made at
the seat of Government, emanating from
one enjoying so large a share of the
confidence of the Democratic party, and
received as it was with the greatest en-
thusiasm by the company, became the
rallying cry of the Democracy, and was
until their efforts were crowned with
success.

At an ultra session of the Legislature
in November, 1820, a bill passed both
Houses, providing for the election of
delegates to a convention for the pur-
pose of amending the constitution; the
Republicans voting for it, and the Fed-
eralists against it. In the Council of
Revision, it was rejected by a party
vote; Gov. Clinton giving the casting
vote against it. This rejection pro-
duced great excitement in the State,
Mr. Van Buren and his friends taking
strong ground in favor of a convention,
and the Federalists, now self-styled

Whigs, against it. A decided majority
of Republicans was returned to the
Legislature, and at the spring session
of 1821, an act passed for taking the
sense of the people upon the subject of
a convention. The same Republican
members who passed the convention
bill, elected Mr. Van Buren to the Sen-
ate of the United States at the same
session.

The people decided in favor of a con-
vention by an overwhelming majority,
and the delegates met in August, 1821.
The Federal party threw into this body
their strongest men, among whom were
Chief Justice Spencer and Chancellor
Kent, who had voted against a conven-
tion in the Council of Revision the pre-
ceding year, together with Judge Van
Ness, Judge Platt, Elisha Williams,
Abm. Van Vetchen, and Jacob R. Van
Rensselaer. The Democracy of the State
pursued a similar policy, and elected, among
other distinguished men, Mr. Van
Buren, Nathan Sanford, Gov. Tompkins,
Col. Young, Gen. Root and Judge Suth-
erland. The majority of the body was
composed of well known Republicans.

Upon the great question of extending
the right of suffrage, the party lines
were distinctly drawn; the Republicans
being in favor of extension, the Fed-
eralists, now Whigs, against it. A com-
mittee, of which Mr. Sanford was chair-
man, reported in favor of abolishing the
property qualification, and extending the
right of suffrage to all white persons hav-
ing six months' residence, and paying a
tax on real or personal property, or
performing personal service on the high-
way or in the militia. A resolute effort
was made by the Federal leaders to am-
end the report so as to require a prop-
erty qualification of \$250, which gave
rise to a long discussion. The speeches
of Spencer, Kent, and others of the
Federal party, in favor of the property
qualification, and of Van Buren, Tomp-
kins, and others of the Republican party,
against it, were reported and pub-
lished. Mr. Van Buren's effort on that
occasion forms one of the main pillars
of his abiding popularity with the Re-
publicans of New York. The grand
object of the Federal leaders, however,
to exclude a third part of the freemen
of New York from having any voice in
their own government, was defeated by
an overwhelming majority.

The Federalists then attempted to
strike out militia service as one of the
qualifications for the right of suffrage,
in which they were opposed by Mr. Van
Buren and the Republicans, and defeat-
ed by a decisive vote.

A motion was then made to strike
out the "highway" qualification, which
was carried after much discussion. The
division upon this question was not by
party lines—Mr. Van Buren, Governor
Tompkins and other Republicans voting
for the motion, and several of the prin-
cipal Federalists against it. On the next
day, this vote was reconsidered, and a
proposition admitting of universal suf-
frage, after a residence of three years
in the State, and one in the city, coun-
ty, &c., was taken up and carried—Mr.
Van Buren and many Republicans vot-
ing against it, and a large portion of the
Federalists voting for it.

The whole subject was then referred
to a committee, which reported a pro-
vision declaring a residence of one year
in the State, or six months in the town
or county, and the payment of a State
or county tax, or the performance of
labor on the highway, as constituting a
right to vote. Military service was ad-
ded by the votes of Mr. Van Buren and
nearly all the Republican party, against
that of all the leading Federalists.

Another effort of the Federal leaders
to restore the property qualification was
then made, and defeated by Mr. Van
Buren and his political friends. For
reasons stated by him, he now support-
ed, also, the highway qualification, which
was adopted. Two efforts were subse-
quently made by the Federal leaders to
strike it out, but without success.

On a previous occasion the word
"white" had been struck out of the re-
port of the first committee, leaving the
right of suffrage open to blacks, as well
as whites; retaining, in that respect, the
principles of the old constitution.

The amendment making suffrage uni-
versal, against which Mr. Van Buren
voted, embraced negroes as well as
whites. Upon the recommitment of
the whole subject to a new committee,
a proviso was annexed to the section,
in their report, regulating the qualifi-
cations of voters, to the effect that, to en-
title a free black to the right of suffrage,
he should have resided in the State three
years, and be possessed of a freehold of
the value of \$250. This provision was
carried by the votes of Mr. Van Buren
and his political friends, against the
strenuous opposition of the Federal
(Whig) party, who insisted on a perfect
equality between the whites and the
blacks, as under the old constitution.

Properly to understand and appreciate
Mr. Van Buren's course on that inter-
esting occasion, reference must be had
to the state of public opinion in New
York at the time, and the objects which
the leaders of the two great political
parties had in view.

Before the calling of the convention
there were few advocates of universal
suffrage in the State of New York.—
The Republican party were in favor of
an extension of the right, but not in fa-
vor of universal suffrage. Mr. Van
Buren's toast of 1820 spoke his own
opinion in general terms, and that of his
party, at that time. The Federal party,
so far from being in favor of univer-
sal suffrage, were against any extension
whatever. This was the state of feeling
when the convention met. Accord-
ingly, the Republican party in the conven-
tion went in mass in favor of abolishing
the property qualification, and largely
extending the right of suffrage, and the
Federal leaders arrayed themselves most
resolutely against it. It soon became
apparent, however, that they could not,
by any direct means, defeat the proposed
change in the Constitution of the State,
whereupon they became forthwith the
advocates of universal suffrage, includ-
ing blacks and whites! From one ex-
treme they leaped at once to another,
and taking advantage of the liberal
views of the Republican delegates, they,
with the aid of a portion of the Repub-
lican party, at one time carried the
question.

It was not difficult for Mr. Van Buren
and his associates to penetrate the de-
sign of the federal leaders. They per-
ceived that the enemies of all reform,
not being able to prevent an extension
of the right of suffrage by direct means,
were now endeavoring so far to outrun
public opinion as to produce the rejection
of the proposed amendments by the
people; thus defeating the objects
for which the convention had been
called. It was not to be believed that
the people were at that time prepared
to vote for a Constitution which admit-
ted not only every white man, but also
every vagabond free negro, to participate
equally with the white men of intelli-
gence and probity in the election of
public officers. The proposed change
would be so great and so startling as
almost certainly to produce the rejection
of the amendments, and the defeat
of all reform, by the vote of the people
themselves.

To counteract the machinations of
Federalism, and accomplish the reforms
really desired by the people, Mr. Van
Buren and his republican friends saw
the necessity of compromise and con-
cert among themselves in relation to
the changes to be proposed. Hence,
after the proposition for universal suf-
frage of blacks as well as whites had
been carried by the votes of a large por-
tion of the federal party, the whole
subject was referred to a committee,
with the view of compromising differ-
ences among the real friends of reform,
and baffling the designs of the Federal
leaders. The report of that committee,
making the right of suffrage in whites
nearly universal, and at the same time
confining it to such blacks only as should
possess a freehold worth \$250, was car-
ried in convention.

Mr. Van Buren's motives in the sup-
port he gave to the proposed amend-
ments to the constitution, are clearly
developed in the speeches he made on
the occasion. In reply to Mr. E. Wil-
liams, one of the Federal leaders, who
was pressing the extension of the right
of suffrage beyond what Mr. Van Buren
believed the public mind was prepared
to sustain, he said "that gentlemen had
expressed a belief a few days ago that
we had already made the constitution
worse, and he probably would not regret
to see us go so far as to have all the
amendments rejected by the people."

Afterwards, when discussing the re-
port of the compromise committee, and
giving his reasons for changing his vote
relative to the highway qualification, he
said:—

"He supported a motion made by the
gentleman from Dutchess to strike out
the highway qualification, with the view
of adding householders. That motion af-
ter full discussion had prevailed by a
majority of twenty. But what was the
consequence? The very next day the
same gentleman who thought the high-
way tax too liberal a qualification, vot-
ed that every person twenty-one years
of age, having a certain term of resi-
dence, and excluding actual paupers,
should be permitted to vote for every
officer of the government, from the
highest to the lowest—far outvying in
this particular the other States of the
Union, and verging from the extreme of
restricted to that of universal suffrage.
The convention, sensible of the very
great stride which had been taken by
the last vote, the next morning referred
the whole subject to a select committee

of thirteen, whose report was now under
consideration. That committee, though
composed of gentlemen, a large majori-
ty of whom had voted for the proposi-
tion of universal suffrage, had now re-
commended a middle course, viz: the
payment of a money tax or labor on
the highway, exclusive of militia ser-
vice, which had, however, very properly
been reinstated."

The motives of Mr. Van Buren and
the leading republicans in the conven-
tion, are here clearly developed. Some
of them, among whom, was Mr. Van
Buren, doubted the expediency of con-
ceding the right of suffrage to free blacks
and every description of white men, and
most of them were satisfied that the
public mind was not prepared to receive
and adopt so unexpected and startling a
proposition. They perceived that some
of the leading Federalists, after losing
the property qualifications, went to the
other extreme of allowing the right in-
discriminately to blacks and whites, with
the view of outrunning public opinion,
and procuring a rejection of all amend-
ments by the people. To prevent this
result, and secure the changes desired
by those who had supported the call of a
convention, the friends of reform com-
promised the question of suffrage, mak-
ing it nearly universal so far as related
to whites, and imposing additional re-
strictions in reference to blacks. Mr.
Sanford's report proposed to exclude
blacks from the right of suffrage alto-
gether; the amendment adopted by the
vote of the Federal leaders, in conjunc-
tion with many republicans, but against
the opinion and vote of Mr. Van Buren,
extended it to all free negroes, however
ignorant or degraded. The middle course
proposed by the committee of compro-
mise, requiring a property qualification
of two hundred and fifty dollars to en-
title a negro to vote, would obviously,
in practice, so improvident is the Afri-
can race, amount to almost a total ex-
clusion, and at that time was going as
far as public opinion would be likely to
sustain. It was but the year before
that the State had been agitated by the
Missouri question, and advocates of ne-
gro equality were not wanting, who, in
case of the entire exclusion of the black
race, would be likely to act most zeal-
ously with the federal party in attempt-
ing to produce a rejection of the new
constitution. It was, therefore, prudent
in the friends of reform not to press the
entire exclusion of the African race as
was at first proposed. The wisdom of
the middle course adopted by them was
evinced by the result, the new consti-
tution having been adopted by a vast
majority of the people of New York.

And so satisfactory was the opera-
tion of the extended suffrage allowed
by these amendments, that about five
years afterwards, the republican party,
with the hearty concurrence and co-op-
eration of Mr. Van Buren, adopted an
additional amendment, making suffrage
universal in respect to whites over 21
years of age, having a certain residence;
but leaving blacks still subject to the
restriction imposed in 1821. Mr. Van
Buren himself, in a letter to a commit-
tee of mechanics of Rhode Island, dated
July 9, 1833, gives a brief narrative of
these amendments to the constitution
and their practical effects. Alluding to
the restrictions of the old constitution,
he says:

"The obvious injustice and ascertain-
ed inutilty of this regulation, together
with other causes, led, in 1821, to the
call of a Convention for the revision of
our State Constitution. Of that Con-
vention I had the honor to be a mem-
ber; and in the discharge of the duties
imposed upon me by that situation, I
labored, and, in conjunction with the
majority of the convention, labored suc-
cessfully to abolish the freehold qualifi-
cation. The principle which I then ad-
vocated, and which was established by
the amended constitution, extended the
right of voting for all elective officers
of the State government to every citi-
zen who should contribute to the sup-
port of government, either by the pay-
ment of taxes in money, or by labor on
the highways, or by service according
to law in the militia. The results of
experience, and the progress of liberal
opinions, soon led to a further exten-
sion, and by an amendment of the con-
stitution, finally adopted in 1826, the
right of suffrage was given to every
male citizen of full age, who shall have
been an inhabitant of the State for one
year, and of the county six months,
preceding the election. This provision,
however, does not extend to persons of
color, who, by the constitution of 1821,
are not allowed to vote unless they have
been for three years citizens of the State,
and for one year before the election seiz-
ed and possessed of a freehold of the
clear value of \$250, and have been rated
and paid a tax thereon."

This is the Constitution of New York
as it now stands.